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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,740	09/17/2003	Thomas Howard Bateman	025000-073	2659

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EXAMINER
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STOYNOV, STEFAN

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/663,740

Applicant(s)

BATEMAN ET AL.

Examiner

Stefan Stoynov

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 37-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al., U.S. Patent No. 5,715,314 in view of McCalmont et al., U.S. Patent No. 5,621,789.

Re claim 37, Payne discloses a system for connecting to a customer computer having a customer IP address (column 7, line 22, FIG. 2G, step 80, FIG. 12), the system comprising a server configured to transmit a page having an URL for presentation on a remote customer computer (FIG. 1, 16, column 7, lines 18-24, column 4, lines 43-45), the page including a remote option (FIG. 6) which when selected generates a form

including the customer IP (column 7, lines 18-24, FIG 2G, step 80), and the server further configured to forward the generated request form (column 7, lines 31-33).

Payne fails to disclose a help option which when selected generates a help request for a call center.

McCalmont teaches a system for integrating a plurality of call center agent subsystem modules to assist a call center agent in efficiently responding to customer calls (column 13, lines 38-41). McCalmont further teaches a windows-based help interface through which the call agent executes various help functions in order to service the received calls (column 7, lines 26-28, lines 33-35, FIG. 6b). In McCalmont, using the call center agent subsystem modules permits a call center agent to avoid using a separate telephone instruments to handle voice transactions and other systems in handling data transactions associated with customer calls (column 1, lines 43-47). Thus, the improved efficiency causes significant cost reductions in the daily operations of a customer call center (column 1, lines 41-41).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use the windows-based help interface accessing the help functions of a call center, as suggested by McCalmont with the system disclosed by Payne in order to implement a help option which when selected generates a help request for a call center. One of ordinary skill in the art would be motivated to do so in order to improve efficiency and reduce the cost for the daily call center operations.

Re claim 39, Payne further discloses the system in which the request form further comprises said URL (column 7, lines 18-24, lines 31-33, lines 46-48).

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al., U.S. Patent No. 5,715,314 in view of McCalmont et al., U.S. Patent No. 5,621,789, and further in view of Srinivasan, U.S. Patent No. 5,185,782.

Re claim 38, Payne and McCalmont disclose the system as per claim 37. In addition, Payne discloses a request form comprising a field for filling in customer information (FIG. 7).

Payne and McCalmont fail to disclose filing in a customer preferred time for call-back.

Srinivasan teaches an automatic call-distribution (ACD) system including an automatic call-back arrangement that automatically returns a caller's call at a time specified by the caller itself (column 2, lines 16-19). Srinivasan further teaches a callback record-generating module gathering the information pertaining to an incoming call (including the specified time for call-back by the customer (column 5, lines 21-24)) into a call record, used for the later scheduled callbacks (column 4, lines 1-9, lines 13 and 14). In Srinivasan, the callback is returned at the customer convenience (column 1, line 49) when the call is expected (column 2, lines 31-33). Thus, wasted agent's time is reduced, the cost for setting up unutilized end-to-end connections is minimized, and the need for the customers to call again is eliminated (column 1, lines 57-66).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use method of recording the specified callback time, as suggested by Srinivasan for the system disclosed by Payne and McCalmont in order to implement filing in a customer preferred time for call-back. One of ordinary skill in the art

would be motivated to do so in order to reduce the wasted agent's time, minimize the setup for unutilized end-to-end connections, prevent the customer for subsequent calling.

***Response to Arguments***

Applicant's arguments with respect to claims 37-39 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Stoykov whose telephone number is (571) 272-4236. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**LYNNE H. BROWNE**  
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